| | | 1440 4 /07/ | | | | Co | mplete if Kn | own | |
|-----------------------------|---------|---------------------|----------------------|----------------------|--|--------------|--|--|----------|
| ubstitute f | or torm | 1449A/PT(| , | | Application N | ımber | 10/754,174 | | |
| TRIT | יתה | AT A TOTAL | NI DICCI O | ממוזכ | Filing Date | | January 9, 200 | 4 | |
| | - | | N DISCLOS | | First Named Ir | ventor | Lilip Lau | | |
| ST | ATE: | MENT | BY APPLIC | CANT | Art Unit | | 3762 | | |
| | (v.= | | heets as necessary) | | Examiner Nam | 16 | Unassigned | • | |
| heet 2 | | e as many s | of 12 | | | | PARCR 66327 | | |
| 2 | | | 01 12 | | Attorney Dock | | FARCK 00327 | | |
| | | · · · · · · | Document Number | U.S. P/ | ATENT DOCUME | | of Patentee or | | |
| Examiner | Cite | Number | | nd Code ² | Publication Date | | or Patentee or cant of Cited | Pages, Columns, Lines, V Relevant Passages or Rel | |
| nitials* | No | i vanibei | | known) | · MM-DD-YYYY | | ocument | Figures Appear | C+011 |
| NI | - | 4,840,626 | | | 06/20/89 | Linsky et | | Тідакатерреш | |
| 1 | | 4,863,016 | | | 9/05/89 | Fong et a | | | |
| | | 4,878,890 | | | 1/07/89 | Bilweis | ·· | | |
| | | 4,957,47 | | | 9/18/90 | Lundbäck | · | | |
| | | 4,960,424 | | | 0/02/90 | Grooters | | | |
| | | 4,973,300 | | | 1/27/90 | Wright | | | |
| | - , | 5,031,762 | 2 | | 7/16/91 | Heacox | | | |
| | | 5,057,117 | | | 0/15/91 | Atweh | | | |
| | | 5,067,957 | | | 11/26/91 Jervi | | | | |
| | | 5,087,243 | | |)2/11/92 | Avitall | | | |
| | | 5,098,369 | | | 3/24/92 | Heilman | | | |
| | | 5,106,386 | | | 04/21/92 | Isner et a | l | | |
| | | 5,119,804 | | | 06/09/92 Anstadt 09/29/92 Cox et al. | | 1 | | |
| | | 5,150,700 | | | | | | -/ | |
| | | 5,169,38 | | | 12/08/92 | Snyders | | | |
| | | 5,186,71 | | | 02/16/93 | Epstein | | <i>-</i> / | |
| -+- | | 5,190,540 | | | 03/02/93 | Jervis | | - | |
| \rightarrow | | 5,192,314 | | | 03/09/93 | Daskalak | 1\$ | <i> </i> | |
| | | 5,197,978 | | | 03/30/93 | Hess | | | |
| | | 5,256,132 | | | 10/26/93 | Snyders | | | |
| -,- | | 5,279,539 | | | 01/18/94 | Bohan et | | | |
| $\mathcal{N}_{\mathcal{N}}$ | | 5,336,254 | } | | 08/09/94 | Brennen | et ai. | | |
| | | <u> </u> | | FOREIGN | PATENT DOCU | MENTS | | Dance Columns Lines | γ |
| Examiner | Cite | | Foreign Patent Docum | nent | Publication Date | Name of Pare | ntee or Applicant | Pages, Columns, Lines Where Relevant | |
| Initials* | No | Office ³ | M4 | Kind ³ | MM-DD-YYYY | | | Passages or Relevant | Té |
| | | Office | Number ⁴ | (if known) | | | | Figures Appear | |
| NV | | PCT | WO 91/19465 | | 12/26/91 | Frater | | 1 | |
| | | SU | 1734767 A1 | | 05/23/92 | Popov et al. | <u>. </u> | | ļ |
| | | EP | 0 280 564 BI | | 06/16/93 | Intermedics | Inc. | <i>)</i> | - |
| | | DE | 38 31 540 C2 | | 06/24/93 | Evans | | | _ |
| | | PCT | WO 95/06447 | | 03/09/95 | | & Associates | 7 | |
| | | PCT | WO 96/04852 | | 02/22/96 | Northrup | | <u> </u> | <u> </u> |
| | | DE | 295 17 393 UI | ļ | 03/14/96 | Hohmann et | | // | <u> </u> |
| | | EP | 0 583 012 B1 | | 07/10/96 | Heilman et a | il. | <u></u> | <u> </u> |
| N | | | | | | | | | |

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. Applicant's unique citation designation number (optional). See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. There of the reign of the Emperor must precede the serial number of the patent document. Not indicated on the document under WIPO Standard ST. 16 if possible. Applicant is to place a check mark here if English language Translation is attached.

Considered

| | | | Complete if Known | | | |
|-----------------------------------|----------------------|-------------------------------------|------------------------|-----------------|--|--|
| Substitut | e for form 1449A/PTO | | Application Number | 10/754,174 | | |
| IN | NFORMATION 1 | DISCI OSIIDE | Filing Date | January 9, 2004 | | |
| | TATEMENT BY | · · · · · · · · · · · · · · · · · · | First Named Inventor | Lilip Lau | | |
| ં | TATEMENT BY | APPLICANT | Art Unit | 3762 | | |
| (use as many sheets as necessary) | | | Examiner Name | Unassigned | | |
| Sheet | 3 | of 12 | Attorney Docket Number | PARCR 66327 | | |

| | | | U.S. | PATENT DOCUMEN | NTS | |
|-----------------------|-------------------------|------------------|---|--------------------------------|---|---|
| Examiner Initials* | Cite No ¹ | Docume Number | ent Number Kind Code ² (if known) | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear |
| NV | | 5,344,442 | | 09/06/94 | Deac | • |
| 1 | | 5,352,184 | | 10/04/94 | Goldberg et al. | |
| 1 | | 5,356,432 | | 10/18/94 | Rutkow et al. | |
| | | 5,366,460 | | 11/22/94 | Eberbach | |
| | | 5,385,156 | | 01/31/95 | Oliva | |
| | | 5,385,229 | | 01/31/95 | Bittmann et al. | |
| | | 5,385,528 | | 01/31/95 | Wilk | |
| | | 5,405,360 | | 04/11/95 | Tovey | T |
| | | 5,429,584 | " | 07/04/95 | Chiu | † |
| | | 5,460,962 | | 10/24/95 | Kemp | |
| | | 5,433,727 | | 07/18/05 | Sideris . | |
| | | 5,456,711 | | 07/18/95 | Hudson | 7 |
| | | 5,500,015 | | 03/19/96 | Deac | 1 7 |
| | | 5,507,779 | | 04/16/96 | Altman | 1 |
| | | 5,509,428 | | 04/23/96 | Dunlop | |
| | | 5,524,633 | | 06/11/96 | Heaven et al. | |
| | | 5,533,958 | | 07/09/96 | Wilk | 1 |
| | | 5,534,024 | | 07/09/96 | Rogers et al. | <u> </u> |
| | | 5,545,210 | | 08/13/96 | Hess et al. | 7 |
| $\neg \neg$ | | 5,727,569 | | 03/17/98 | Benetti et al. | 1 7 |
| | | 5,749,839 | | 05/12/98 | Kovacs | |
| | | 5,782,746 | | 07/21/98 | Wright | |
| NV | | 5,800,334 | | 09/01/98 | Wilk | |

| | | | | FOREIGN | N PATENT DOCU | MENTS | | |
|-----------|-----------------|---------------------|----------------------|---------------------------------|------------------|--------------------------------|---|----|
| Examiner | Cite | | Foreign Patent Docum | nent | Publication Date | Name of Patentee or | Pages, Columns, Lines | T6 |
| Initials* | No ¹ | Office ³ | Number ⁴ | Kind ³ (if known) | MM-DD-YYYY | Applicant of Cited Document | Where Relevant Passages or Relevant Figures Appear | , |
| 7 | | PCT | WO 97/20505 | | 06/12/97 | Loma Linda University | | |
| | | PCT | WO 97/24101 | | 07/10/97 | Melvin | | |
| | | EP | 0 791 330 A3 | | 08/27/97 | Cardiothoracic Systems | | |
| | | PCT | WO 98/03213 | , | 01/29/98 | Heartport, Inc. | | |
| | | PCT | WO 98/14136 | | 04/09/98 | Acom Medical, Inc. | | |
| | | PCT | WO 98/26738 | | 06/25/98 | Hearten Medical, Inc. | | |
| | | PCT | WO 98/29041 | | 07/09/98 | Myocor, Inc. | | |
| | | PCT | WO 98/58598 | | 12/30/98 | Haindl | / | |
| NV | | PCT | WO 99/11201 | | 03/11/99 | Endocore, Inc. | | |

| Examiner Signature Day | Pate O2/27/05 |
|------------------------|---------------|
|------------------------|---------------|

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. Applicant's unique citation designation number (optional). See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. Include copy of this form with next communication to applicant. Applicant's unique citation designation number (optional). See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. Include copy of this form with next communication to applicant. Applicant's unique citation designation number (optional). See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. Include copy of this form with next communication to applicant. Applicant's unique citation designation number (optional). See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. The Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. The Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. The Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. The Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. The Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. The Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. The Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. The Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. The Codes of USPTO Patent Documents at www.uspto.gov or waspto.

WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

| | Complete if Known | | | |
|-----------------------------------|------------------------|-----------------|--|--|
| Substitute for form 1449A/PTO | Application Number | 10/754,174 | | |
| INFORMATION DISCLOSURE | Filing Date | January 9, 2004 | | |
| STATEMENT BY APPLICANT | First Named Inventor | Lilip Lau | | |
| STATEMENT DY APPLICANT | Art Unit | 3762 | | |
| (use as many sheets as necessary) | Examiner Name | Unassigned | | |
| Sheet 4 of 12 | Attorney Docket Number | PARCR 66327 | | |

| | | | | U.S. F | ATENT DOCUME | NTS | | | |
|-----------------------|-------------------------|--|----------------------|---------------------------------|--------------------------------|------------------|---|---|--------------|
| Examiner Initials* | Cite No ¹ | Number Kind Code ² (if known) | | ind Code ² | Publication Date MM-DD-YYYY | N | lame of Patentee or Applicant of Cited Document | Pages, Columns, Lines, W Relevant Passages or Rele Figures Appear | here vant |
| NV | | 5,571,215 | | | 11/05/96 | Sterman et al. | | - | |
| ſ | | 5,582,616 | | | 12/10/96 | Bold | luc et al. | | |
| | | 5,584,803 | L | | 12/17/96 | Stev | ens et al. | | |
| | | 5,593,424 | | | 01/14/97 | Nort | hrup III | | |
| | | 5,593,441 | | | 01/14/97 | Lich | tenstein et al. | | |
| | | 5,597,378 | | | 01/28/97 | Jervi | is | | |
| | | 5,607,477 | | | 03/04/97 | Schi | ndler et al. | | |
| | | 5,647,372 | | | 07/15/97 | Tove | ey et al. | | |
| | | 5,647,380 | } | | 07/15/97 | Cam | pbell et al. | | |
| | | 5,695,525 | | | 12/09/97 | Mul | hauser et al. | / | |
| | | 5,814,097 | | | 09/29/98 | Sterr | nan et al. | | |
| | | 5,824,028 | | | 10/20/98 | Knis | ley | | |
| | | 5,836,311 | | | 11/17/98 | | t et al. | | |
| | | 5,848,962 | | | 12/15/98 | Fein | dt et al. | | |
| | | 5,849,005 | | | 12/15/98 | Garr | ison et al. | | |
| | | 5,853,422 | | | 12/29/98 | Hue | bsch et al. | / | |
| | | 5,865,791 | | | 02/02/99 | Whayne et al. | | 7 | |
| | | 5,904,690 |) | | 05/18/99 | Middleman et al. | | / | |
| | | 5,910,124 | | | 06/08/99 | Rub | in | 1 | |
| | | 5,927,284 | | | 07/27/99 | Bors | Borst et al. | | |
| | | 5,948,019 | | | 09/07/99 | Shu et al. | | | |
| | | 5,976,069 |) | | 11/02/99 | Nav | ia et al. | | |
| | | 5,979,456 | | | 11/09/99 | Mag | ovem | | |
| | | 5,984,857 | ' | | 11/16/99 | Buc | k et al. | | |
| NV | | 5,990,378 | | | 11/23/99 | Ellis | | | |
| | | | | FOREIG | N PATENT DOCU | MENTS | | · | |
| Examiner | Cite | | Foreign Patent Docum | nent | Publication Date | | ne of Patentee or | Pages, Columns, Lines Where Relevant Passages | T' |
| Initials* | No | Office ³ | Number ⁴ | Kind ⁵ (if known) | MM-DD-YYYY | Ар | Document | or Relevant Figures Appear | |
| NV | | EP | 0 919 193 A1 | | 06/02/99 | Ethicor | Endo-Surgery | 1 | |
| 1 | | PCT | WO 99/30647 | | 06/24/99 | Муосо | r, Inc. | | |
| | | PCT | WO 99/44534 | | 09/10/99 | Melvin | | | |
| | | PCT | WO 99/44680 | | 09/10/99 | Abiom | ed, Inc. | | |
| | | PCT | WO 99/53977 | | 10/28/99 | SciMed | Life Systems | | |
| | | PCT | WO 99/56655 | | 11/11/99 | Correst | ore, Inc. | | |
| | | PCT | WO 00/02500 | | 01/20/00 | Acom | Cardiovascular | | |
| | | PCT | WO 00/06026 | | 02/10/00 | Myoco | r, Inc. | / | |
| NV | | PCT | WO 00/06027 | | 02/10/00 | Mortie | et al. | | |
| Examine | r | | | | | | Date | | 7 |
| | | | | | | > | Considered | 02/22/ | 0{ |
| Signature | - 1 | | | _ | · | | Considered | - / / 6 | <u>ر</u> |

^{*}EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. Applicant's unique citation designation number (optional). See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. Enter Office that issued the document, by the two-letter code (WIPO, Standard ST.3). For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. Applicant is to place a check mark here if English language Translation is attached.

| | | | | Complete if Known | | | |
|----------|-----------------------|----------|------------|------------------------|-----------------|--|--|
| Substitu | ite for form 1449A/PT | 0 | | Application Number | 10/754,174 | | |
| ĺτ | NFORMATIC | N DI | SCI OSIIĎE | Filing Date | January 9, 2004 | | |
| | | | | First Named Inventor | Lilip Lau | | |
| 2 | STATEMENT | BYA | PPLICANI | Art Unit | 3762 | | |
| | (use as many s | heets as | necessary) | Examiner Name | Unassigned | | |
| Sheet | 5 | of | 12 | Attorney Docket Number | PARCR 66327 | | |

| | | | U.S | . PATENT DOCUMEN | NTS | |
|-----------------------|-------------------------|---------------|---|--------------------------------|---|---|
| Examiner Initials* | Cite No ¹ | Number Docume | ent Number Kind Code ² (if known) | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear |
| NV | | 6,007,486 | | 12/28/99 | Hunt et al. | |
| | | 6,015,378 | | 01/18/00 | Borst et al. | |
| 1 | | 6,024,096 | | 02/15/00 | Buckberg | |
| T | | 6,045,497 | | 04/04/00 | Schweich, Jr. et al. | |
| | | 6,050,936 | | 04/18/00 | Schweich, Jr. et al. | |
| | | 6,059,715 | | 05/09/00 | Schweich, Jr. et al. | |
| | | 6,071,303 | | 06/06/00 | Laufer | |
| | | 6,079,414 | | 06/27/00 | Roth | |
| | | 6,085,754 | | 07/11/00 | Alferness et al. | |
| | | 6,095,968 | | 08/01/00 | Snyders | |
| | | 6,117,159 | | 09/12/00 | Huebsch et al. | 1 |
| | | 6,117,979 | | 09/12/00 | Hendriks et al. | |
| | | 6,125,852 | | 10/03/00 | Stevens et al. | |
| | | 6,126,590 | | 10/03/00 | Alferness | |
| | | 6,155,968 | | 12/05/00 | Wilk | / |
| | | 6,162,168 | | 12/19/00 | Schweich, Jr. et al. | |
| | | 6,165,119 | | 12/26/00 | Schweich, Jr. et al. | |
| | | 6,165,120 | | 12/26/00 | Schweich, Jr. et al. | |
| | | 6,165,121 | | 12/26/00 | Alferness | 1 / |
| $\neg \neg$ | | 6,165,122 | | 12/26/00 | Alfemess | 1 7 |
| | | 6,166,184 | | 12/26/00 | Hendriks et al. | |
| | | 6,169,922 | | 01/02/01 | Alferness et al. | |
| | | 6,174,279 | | 01/16/01 | Girard | |
| Νv | | 6,179,791 | | 01/30/01 | Krueger | |

| | FOREIGN PATENT DOCUMENTS | | | | | | | | | | | |
|---------------|--------------------------|-------------------------|---------------------|---------------------------------|------------------|---|-----------------------|---|--|--|----------------------------|-----|
| Examiner Cite | | Foreign Patent Document | | | Publication Date | Name of Patentee or | Pages, Columns, Lines | ۱ | | | | |
| Initials* | No | Office ³ | Number ⁴ | Kind ⁵ (if known) | MM-DD-YYYY | Applicant of Cited Where Relevant Passa Document or Relevant Figures Ap | | | | | or Relevant Figures Appear | T.e |
| NJ | | PCT | WO 00/06028 | | 02/10/00 | Mortier, et al. | | | | | | |
| | | PCT | WO 00/13722 | | 03/16/00 | SciMed Life Systems | | 7 | | | | |
| | _ | PCT | WO 00/16700 | 1 | 03/30/00 | Myocor, Inc. | | 7 | | | | |
| | | PCT | WO 00/28912 | 1 | 05/25/00 | Acorn Cardiovascular | | | | | | |
| | | PCT | WO 00/28918 | ĺ | 05/25/00 | Acom Cardiovascular | | | | | | |
| | | PCT | WO 00/42919 | | 07/25/00 | Buckberg et al. | | | | | | |
| | | PCT | WO 00/45735 | | 08/10/00 | Acom Cardiovascular | | | | | | |
| N | | PCT | WO 00/48795 | | 08/24/00 | Richebourg | | | | | | |

| | | Date 02 /22 /05 |
|--|--|-----------------|
|--|--|-----------------|

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*</sup>EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. Applicant's unique citation designation number (optional). See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. Enter Office that issued the document, by the two-letter code (WIPO, Standard ST.3). For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. Applicant is to place a check mark here if English language Translation is attached.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number

| | | | Complete if Known | | |
|----------|------------------------|---------------|------------------------|-----------------|--|
| Substiti | ute for form 1449A/PTO | | Application Number | 10/754,174 | |
| ĺт | NFORMATION I | MISCI OSLIDE | Filing Date | January 9, 2004 | |
| | | | First Named Inventor | Lilip Lau | |
| 3 | STATEMENT BY | APPLICANT | Art Unit | 3762 | |
| 1 | (use as many sheets | as necessary) | Examiner Name | Unassigned | |
| Sheet | 6 0 | f 12 | Attorney Docket Number | PARCR 66327 | |

| | | | U.S | . PATENT DOCUMEN | NTS | |
|-----------------------|-------------------------|--------------|---|--------------------------------|---|---|
| Examiner Initials* | Cite No ¹ | Number Docum | ent Number Kind Code ² (if known) | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear |
| NV | | 6,183,411 | | 02/06/01 | Mortier et al. | |
| 1 | | 6,190,408 | | 02/20/01 | Melvin | |
| | | 6,193,648 | | 02/27/01 | Krueger | |
| | | 6,206,820 | | 03/27/01 | Kazi et al. | |
| | | 6,214,047 | | 02/10/01 | Melvin | |
| | | 6,221,103 | | 02/24/01 | Melvin | |
| | } | 6,224,540 | | 05/01/01 | Ledermann et al. | |
| 1 | | 6,230,714 | | 05/15/01 | Alferness et al. | |
| | | 6,260,552 | | 07/17/01 | Mortier et al. | 1 |
| | | 6,261,222 | | 07/17/01 | Schweich, Jr. et al. | 1 |
| | | 6,282,445 | | 08/28/01 | Reinhardt et al. | 1 |
| | | 6,287,250 | | 09/11/01 | Peng et al. | |
| | | 6,306,141 | | 10/23/01 | Jervis | |
| | | 6,375,608 | | 04/23/02 | Alferness | |
| | | 6,390,976 | | 05/21/02 | Spence et al. | |
| | | 6,402,680 | | 06/11/02 | Mortier et al. | |
| | | 6,406,420 | | 06/18/02 | McCarthy et al. | |
| | | 6,409,760 | | 06/25/02 | Melvin | |
| | | 6,416,459 | | 07/09/02 | Haindl | 1 / |
| | | 6,451,025 | | 09/17/02 | Jervis | |
| 1 | | 6,537,203 | | 03/25/03 | Alferness et al. | 170 |
| NV | | 6,544,168 | | 04/08/03 | Alferness | |

| | FOREIGN PATENT DOCUMENTS | | | | | | | | | |
|---------------|--------------------------|---------------------|----------------------|---------------------------------|------------------|--------------------------------|---|----|--|--|
| Examiner Cite | Cite | | Foreign Patent Docum | ent | Publication Date | Name of Patentee or | Pages, Columns, Lines | 76 | | |
| Initials* | No | Office ³ | Number ⁴ | Kind ³ (if known) | MM-DD-YYYY | Applicant of Cited Document | Where Relevant Passages or Relevant Figures Appear | 1 | | |
| NY | | PCT | WO 00/62727 | | 10/26/00 | Hearten Medical |) | | | |
| 1 | | PCT | WO 00/74769 | | 12/14/00 | Johns Hopkins Univ. | | | | |
| T | | PCT | WO 01/17437 | | 03/15/01 | Cardiothoracic Systems | | | | |
| | | PCT | WO 01/50981 | | 07/19/01 | Acom Cardiovascular | | | | |
| | | PCT | WO 01/95830 | | 12/20/01 | Acom Cardiovascular | | | | |
| | | PCT | WO 01/95831 | | 12/20/01 | Acom Cardiovascular | | | | |
| | | PCT | WO 01/95832 | | 12/20/01 | Acom Cardiovascular | | | | |
| 7 | | PCT | WO 02/19917 | | 03/14/02 | Converge Medical | | | | |
| NV | | PCT | WO 03/026483 | | 04/03/03 | The Foundry, Inc. | | | | |

| Examiner Signature | Date Considered | 02 | /22/05 |
|-----------------------|--------------------|----|--------|
|-----------------------|--------------------|----|--------|

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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO, Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

PTO/SB/08a (06-03) Approved for use through 07/31/2003 OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number r the Paperwork Red Complete if Known Substitute for 10/754,174 Application Number January 9, 2004 Filing Date INFORMATION DISCLOSURE Lilip Lau First Named Inventor STATEMENT BY APPLICANT 3762 Art Unit Unassigned Examiner Name (use as many sheets as necessary) of 12 PARCR 66327 Attomey Docket Number

| | | | U.S | . PATENT DOCUMEN | NTS | |
|-----------------------|-------------------------|--------------|-----------------------------------|--------------------------------|---|---|
| Examiner Initials* | Cite No ¹ | Number Docum | Kind Code ² (if known) | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear |
| N | | 3,464,322 | | 09/02/69 | Pequignot | 1 |
|) | | 3,613,672 | | 10/19/71 | Schiff | |
| | | 3,966,401 | | 06/29/76 | Hancock et al. | |
| | | 3,988,782 | | 11/02/76 | Dardik et al. | |
| | | 4,011,947 | | 03/15/77 | Sawyer | |
| | | 4,048,990 | | 09/20./77 | Goetz | |
| | | 4,065,816 | | 01/03/78 | Sawyer | |
| | | 4,108,161 | | 08/22/78 | Samuels et al. | |
| | | 4,192,293 | | 03/11/80 | Asrican | |
| | | 4,211,325 | | 07/08/80 | Wright | |
| | | 4,261,342 | | 04/14/81 | Aranguren Duo | 1 |
| | | 4,372,293 | | 02/08/83 | Vijil-Rosales | 1 |
| | | 4,512,471 | | 04/23/85 | Kaster et al. | |
| | | 4,545,783 | | 10/08/85 | Vaughn | |
| | | 4,628,937 | | 12/16/86 | Hess et al. | |
| | | 4,630,597 | | 12/23/86 | Kantrowitz et al. | |
| | | 4,665,906 | | 05/19/87 | Jervis | |
| | | 4,697,703 | | 10/06/87 | Will | |
| | | 4,750,619 | | 06/14/88 | Cohen et al. | |
| | | 4,821,723 | | 04/18/89 | Baker, Jr. et al. | |
| | | 4,834,707 | | 05/30/89 | Evans | |
| NI | | 4,838,288 | | 06/13/89 | Wright et al. | |

| | FOREIGN PATENT DOCUMENTS | | | | | | | | | |
|-----------|--------------------------|------------------------------|---------------------|---------------------|---------------------|--------------------------------|--|--|---|----|
| Examiner | Cite | Cite Foreign Patent Document | | Publication Date | Name of Patentee or | Pages, Columns, Lines | 76 | | | |
| Initials* | No | Office ³ | Number ⁴ | Kind³ (if known) | | Applicant of Cited Document | | | Where Relevant Passages or Relevant Figures Appear | 14 |
| NV | | FR | 2 527 435 | | 12/2/83 | Serreaus | <u></u> | | | |
| , | | GB | 2 115 287 A | | 09/07/83 | Sharma | | | | |
| | | JP | 60-203250 | | 10/14/85 | Unknown | | | | |
| | | GB | 2 209 678 A | T | 05/24/89 | Evans | | | | |
| | | DE | 3831 540 A1 | | 04/06/89 | Evans | | | | |
| | | JP | 1-145066 | | 06/07/89 | Unknown | | | | |
| | | JP | 1-271829 | | 10/30/89 | Kogyo | | | | |
| | | EPO | 0 370 931 A1 | | 05/30/90 | Perrotin | | | | |
| NI | | FR | 2 645 739 | | 10/19/90 | Mentzer et al. | | | | |

| Examiner Signature | Date Considered | 02/22/08 |
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| | Complete if Known | | |
|-----------------------------------|------------------------|-----------------|--|
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| Sheet 7 of 12 | Attorney Docket Number | PARCR 66327 | |

| | | | U.S | PATENT DOCUMEN | NTS | |
|-----------------------|-------------------------|------------------|--|--------------------------------|---|---|
| Examiner Initials* | Cite No ¹ | Docume Number | nt Number Kind Code ² (if known) | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear |
| N | | 6,547,821 | | 11/11/03 | Taylor et al. | 1 |
| 1 | | 6,564,094 | | 05/13/03 | Alferness et al. | |
| T | | 6,567,699 | | 05/20/03 | Alferness et al. | |
| | | 6,569,082 | | 05/27/03 | Chin | |
| | | 6,572,533 | | 06/03/03 | Shapland et al. | |
| | | 6,575,921 | | 06/10/03 | Vanden Hoek et al. | |
| | | 6,582,355 | | 06/24/03 | Alferness et al. | |
| | | 6,587,734 | | 07/01/03 | Okuzumi | |
| | | 6,595,912 | | 07/22/03 | Lau et al. | 1 |
| | | 6,602,184 | | 08/05/03 | Lau et al. | 1 |
| | | 6,612,978 | | 09/02/03 | Lau et al. | 1 |
| | | 6,612,979 | | 09/02/03 | Lau et al. | |
| | <u> </u> | 6,645,139 | | 11/11/03 | Haindl | 1 |
| | | 6,663,558 | | 12/16/03 | Lau et al. | |
| | | 6,673,009 | | 01/06/04 | Vanden Hoek et al. | 1 |
| 1 | | 6,682,474 | | 01/27/04 | Lau et al. | 1 7 |
| | | 6,682,475 | | 01/27/04 | Cox et al. | |
| | | 6,682,476 | | 01/27/04 | Alferness et al. | |
| | | 6,685,620 | | 02/03/04 | Gifford, III et al. | |
| | | 6,685,627 | | 02/03/04 | Jayaraman | |
| | | 6,723,041 | | 04/20/04 | Lau et al. | |
| | | 6,755,779 | | 06/29/04 | Vanden Hoek et al. | |
| 7 | | 2001/00293134 | | 10/11/01 | Alferness et al. | 1 |
| | | 2001/0047122 | | 11/29/01 | Vanden Hoek et al. | 1 7 |
| \neg | | 2002/0007216 | | 01/17/02 | Melvin | 1 / |
| | | 2002/0022880 | | 02/21/02 | Melvin | 1 |
| | | 2002/0068849 | | 06/06/02 | Schweich, Jr. et al. | 1/ |
| 1/ | | 2002/007754 | | 06/20/02 | Schweich, Jr. et al. | 17 |
| N | | 2002/0082647 | | 06/27/02 | Alferness et al. | |

| | FOREIGN PATENT DOCUMENTS | | | | | | | | | |
|---------------|--------------------------|-------------------------|---------------------|---------------------------------|---------------------|--|----------------------------|--|--|--|
| Examiner Cite | Cite | Foreign Patent Document | | Publication Date | Name of Patentee or | Pages, Columns, Lines Where Relevant Passages | 6 | | | |
| Initials* | No' | Office ³ | Number ⁴ | Kind ⁵ (if known) | MM-DD-YYYY | Applicant of Cited Document | or Relevant Figures Appear | | | |
| WV | | PCT | WO 03/026485 | | 04/03/03 | The Foundry, Inc. | | | | |
| N | | PCT | WO 03/026484 | | 04/03/03 | The Foundry, Inc. | | | | |
| | | | | | | | 1. | | | |

| Examiner | -32 | Date | 05/5 | 27/05 |
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| Signature | | Considered | | 2/15 |

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|-----------------------------------|------------------------|------------------|
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| | | U.S | . PATENT DOCUMEN | its | |
|-----------------------|-------------------------|--|--------------------------------|---|---|
| Examiner Initials* | Cite No ¹ | Document Number Number Kind Code ² (if known) | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear |
| NV | | 2002/0091296 | 07/11/02 | Alferness | 7 |
| 1 | | 2002/0103511 | 08/01/02 | Alferness et al. | |
| | | 2002/0151950 | 10/17/02 | Okuzumi | |
| | | 2003/0060674 | 03/27/03 | Gifford, III et al. | |
| | | 2003/0060677 | 03/27/03 | French et al. | |
| | | 2003/0060895 | 03/27/03 | French et al. | |
| | | 2003/0199733 | 10/23/03 | Shapland et al. | |
| | | 2003/0199955 | 10/23/03 | Struble et al. | 1 |
| N | | 2003/0229265 | 12/11/03 | Girard et al. | |
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| Sheet | 9 | of | 12 | Attorney Docket Number | PARCR 66327 |

| | | OTHER PRIOR ART NON PATENT LITERATURE DOCUMENTS | |
|-----------------------|---------------------------|--|----------|
| Examiner Initials* | Cite No ¹ . | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, scrial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published. | T² |
| NV | | Bencini, Adriano, M.D., The "Pneumomassage" of the Heart, Surgery, Vol. 39, No. 3, March 1956 | |
| NV | | Anstadt, George L., et al., A New Instrument for Prolonged Mechanical Cardiac Massage, Abstracts of the 38th Scientific Sessions, Supplement II to Circulation, Vols. 31 and 32, pp. 375-384, October 1965 | |
| 3 | | -Lev, Maurice, M.D., et al., Single (Primitive) Ventricle, Siroulation, Vol. 39, pp. 577-591 | <u> </u> |
| \mathcal{W} | | Paling, D.F., Warp Knitting Technology, 1970 | |
| NV | | Edie, Richard N., M.D., et al., Surgical Repair of Single Ventricle, The Journal of Thoracic and Cardiovascular Surgery, Vol. 66, No. 3, pp. 350-360, September 1972 | |
| | | McGoon, Dwight C., M.D., et al., Correction of the Univentricular Heart Having Two Atriovantricular Valves, The Journal of Thoracic and Cardiovascular Surgery, Vol. 74, No. 2, pp. 218-226, August 1977 | |
| | | Doty, Donald B., et al., Septation of the Univentricular Heart: Transatrial Approach, The Journal of Thoracic and Cardiovascular Surgery, Vol. 78, No. 3, pp. 424-430, September 1979 | |
| | | Schetky, L. McDonald, Shap- Memory Alloys, Scientific American, Vol. 241, No. 5, pp. 74-82, November 1979 | |
| | | Melton, K.N., et al., Alloys With Two-Shape Memory Effect, Mechanical Engineering, pp. 42-43, March 1980 | |
| | | Feldt, Robert H., M.D., et al., Current Status of the Septation Procedure for Univentricular Heart, The Journal of Thoracic and Cardiovascular Surgery, Vol. 82, No. 1, pp. 93-97, July 1981 | |
| | | Carpentier, A., et al., Myocardial Substitution With Stimulated Skeletal Muscle: First Successful Clinical Case, The Lancet, June 1, 1985 | |
| | | Anstadt, George L. et al., Direct Mechanical Ventricular Actuation: A Review, Resuscitation, pp. 7-23, 1991 | |
| | | Anstadt, Mark P., M.D., et al., Pulsatile Reperfusion After Cardiac Arrest Improves Neurologic Outcome, American Surgery, Vol. 214, No. 4, pp. 478-490, October 1991 | |
| | | Schumacker, Harris B., Jr., Chapter 21: Cardiac Aneurysms, The Evolution of Cardiac Surgery, pp. 159-165, 1992 | |
| | | Savage, Edward B., M.D., et al., Repair of Left Ventricular Aneurysm, The Journal of Thoracic and Cardiovascular Surgery, Vol. 104, No. 3, pp. 752-762, September 1992 | |
| | | Carpentier, Alain, M.D., Ph.D., et al., <i>Dynamic Cardiomyoplasty at Seven Years</i> , The Journal of Thoracic and Cardiovascular Surgery, Vol. 106, No. 1, pp. 42-54, July 1993 | |
| | | Chekanov, Valeri, M.D., Ph.D., Nonstimulated Cardiomyoplasty Wrap Attenuated the Degree of Left Ventricular Enlargement, Annals of Thoracic Surgeons, Vol. 57, pp. 1684-1690, 1997 | |
| | | Vaymblat, Mikhail, M.D., et al., Cardiac Binding in Experimental Heart Failure, Annals of Thoracic Surgery (Abstract), Supplement to Circulation, Vol. 92, Suppl. 1, 1995 | |
| | | Chaudhry, Pervaiz A., M.D., et al., Acute Ventricular Reduction with Acorn's Cardiac Support Device Prevents Progressive Left Ventricular Dysfunction and Remodeling in Dogs With Advanced Heart Failure, Cardiothoracic Surgery, pp. 146-148, 1996 | |
| NV | | Oh, Joong Hwan, M.D., et al., Mechanisms of Dynamic Cardiomyoplasty: Current Concepts, Journal of Cardiac Surgery, Vol. 11, pp. 194-199, 1996 | |
| | | | |

02/22/05

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. I Applicant's unique citation designation number (optional). See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. Interest of the reign of the Emperor must precede the serial number of the patent document. Find of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. Applicant is to place a check mark here if English language Translation is attached.

| Sharing S. S. MARONINTO | | | C | omplete if Known |
|-----------------------------------|------------------|----------------------|------------------------|------------------|
| Substitute for form 1449B/PTO | | Application Number | 10/754,174 | |
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| | | OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS | - |
|-----------------------|---------------------------|--|---|
| Examiner Initials* | Cite No ¹ . | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published. | т |
| M | | Badhwar, Vinay, Power Generation From Four Skeletal Muscle Configurations Design Implications for a Muscle Powered Cardiac Assist Device, ASAIO Journal, Vol. 43, pp. M651-M657, 1997 | |
| | | Westaby, Stephen, et al., Landmarks in Cardiac Surgery, pp. 198-199, 1997 | |
| | | Cox, James L., Left Ventricular Aneurysms: Pathophysiologic Observations and Standard Resection, Seminars in Thoracic and Cardiovascular Surgery, Vol. 9, No. 2, pp. 113-122, April 1997 | |
| | | Coletta, C., et al., Prognostic Value of Lest Ventricular Volume Response During Dobutamine Stress Echocardiography, European Heart Journal, vol. 18, pp. 1599-1603, October 1997 | |
| | | Capomolla, Soccorso, M.D., et al., Dobutamine and Nitroprusside Infusion in Patients With Severe Congestive Heart Failure: Hemodynamic Improvement by Discordant Effects on Mitral Regurgitation, Lest Atrial Function, and Ventricular Function, American Heart Journal, 1089-1098, December 1997 | |
| | | Oh, Joong Hwan, The Effects of Prosthetic Cardiac Binding and Adynamic Cardiomyoplasty in a Model of Dilated Cardiomyopathy, The Journal of Thoracic and Cardiovascular Surgery, Vol. 116, No. 1, pp. 148-153, 1998 | |
| | | Cohn, Jay N., M.D., Preventing Congestive Heart Failure, American Family Physician, 6 pages, april 15, 1998 | |
| | | Cohn, Jay N., M.D., Structural Basis for Heart Failure: Ventricular Remodeling and Its Pharmacological Inhibition, Circulation, Vol. 91, No. 10, pp. 2504-2507, May 15, 1995 | |
| | | Gaudron, Peter, M.D., et al., Progressive Left Ventricular Dysfunction and Remodeling After Myocardial Infarction, Circulation, vol. 87, pp. 755-763, March 1993 | |
| | • | Pfciffer, Marc A., M.D., et al., Ventricular Remodeling After Myocardial Infarction: Experimental Observations and Clinical Implications, Circulation, Vol. 81, No. 4, pp. 1161-1172, April 1990 | |
| | | Guasp, Francisco Torrent, Una protesis contentiva para el tratamiento de le microcardiopatia dilatads, Revista Española de Cardiologia, Vol. 51, No. 7, July 1998 | |
| | | Power, J.M., et al., Passive Ventricular Constraint Amends the Course of Heart Failure: A Study in an Ovine Model of Dilated Cardiomyopathy, Cardiovascular Research, Vol. 44, pp. 549-555, 1999 | |
| | | Frazier, O.H., M.D., et al., Left Ventricular Assist System as a Bridge to Myocardial Recovery, Annals of Thoracic Surgery, Vol. 68, pp. 734-741, 1999 | |
| | | McIvin, David B., Ventricular Radium Reduction Without Resection: A Computational Analysis, ASAIO Journal, pp. 160-165, 1999 | |
| | | ABSTRACTS - Heart Failure, JACC February 1999 | |
| W | | Raman, Jai S., FRACS, et al., Ventricular Containment as an Adjunctive Procedure in Ischemic Cardiomyopathy: Early Results, Annals of Thoracic Surgery, Vol. 70, pp. 1124-1126, January 2000 | |

^{*}EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Applicant's unique citation designation number (optional).

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| Substitute for for | m 1449B/PTO | Application Number | 10/754,174 | | |
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| <u>'</u> | OTHER PRIOR ART - NON | PATENT LITERATURE D | OCUMENTS | | |
| Examiner Cite No ¹ . | | | | T² | |
| NV | McCarthy, Patrick M., et al., Device Based Le Volume and Increases Ejection Fraction in a | | | | |
| | Chaudhry, Pervaiz A., M.D., et al., Passive E, Failure, Annals of Thoracic Surgeons, Vol. 7 | | 's Ventricular Remodeling in Heart | | |
| | Acom Cardiovascular, Inc., CSD Specification | | | | |
|] | Heart "jacket" could help stop heart failure p | rogression, Clinicia, No. 916, | July 2000 | | |
| | Acom Cardiovascular, Inc., CorCap™ Cardia | rCap™ Cardiac Support Device Pamphlet, June 2001 | | | |
| | Medtronic's InSync Cardiac Resynchronization | on Therapy Device Approved b | y FDA, (Press Release) August 28, 2001 | | |
| | Oz, Mehmet C., M.D., Passive Ventricular C. Thoracic Surgery, Vol. 71, pp. 5185-5187, 20 | 001 | Congestive Heart Failure, Annals of | | |
| | Abstract Supplement, European Heart Journa | <u>l</u> , Vol. 22, September 2001 | | | |
| NV | Gorman, J., Self-Sutures: New Material Know | ts Up On Its Own, Science Nev | vs, Vol. 161, p. 262, April 27, 2002 | | |
| | Teckell-Taylor, Leah A., et al., Passive Ventr Acute Myocardial Infarction. Abstract, Ame | rican College of Cardiology (U | ndated) | - | |
| NV | Mann, Douglas L., M.D., Busic Mechanisms Scientific Meeting of the Heart Failure Societ | y of America, September 24, 2 | 002 | | |
| | Bocchi, Edimar a., M.D., Arrhythmias and St. 5, Part 2, pp. 11-107 thru II-111, November 19 | 994 | | | |
| | Chachques, Juan C., M.D., Study of Muscular Follow-Up, The Journal of Heart and Lung T | ransplantation, Vol. 16, No. 8, | pp. 854-868, August 1997 | | |
| | Dullum, Mercedes K.C., M.D., et al., Less Int. Device Implantation on the Beating Heart, Tl | vasive Surgical Management of ne Heart Surgery Forum, #200 | Heart Failure by Cardiac Support 1-1818, pp. 361-363, January 4-7, 2001 | | |
| | Macris, Michael P. M.D., et al., Minimally In with a Novel Device, Clinical Cardiology, Vo | l. 22 (Suppl. I), pp. I-36 thru I- | 39, 1999 | | |
| N | Thakur, Ranjan K., M.D., et al., Latissimus D Journal of Cardiac Surgery, Vol. 10, pp. 295- | | y: Role of Combined ICD Implantation, | | |
| | | | | - | |
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02/22/05

59713.1

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| INFORMATION DISCLOSURE | Filing Date | September 5, 2002 | | |
| | First Named Inventor | Lilip Lau | | |
| STATEMENT BY APPLICANT | Group Art Unit | 3762 | | |
| (use as many sheets as necessary) | Examiner Name | Unassigned | | |
| Sheet 12 of 12 | Attorney Docket Number | PARCR 66327 | | |

| | | OTHER PRIOR ART NON PATENT LITERATURE DOCUMENTS | | | | | | |
|-----------------------|---|--|----------|--|--|--|--|--|
| Examiner Initials* | itials* No! magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city an country where published. | | | | | | | |
| | | Application for U.S. Letters Patent Serial No. 09/952,145 filed September 10, 2001 | | | | | | |
| | | Application for U.S. Letters Patent Serial No. 10/314,696 filed December 9, 2002 | \vdash | | | | | |
| ۲. | | Provisional Patent Application Serial No. 60/486,062 filed July 10, 2003 | | | | | | |
| | • | Application for U.S. Letters Patent Serial No. 10/698,237 filed October 31, 2003 | - | | | | | |
| • | | Application for U.S. Letters Potent Serial No. 10/704,376 filed November 7, 2003 | <u> </u> | | | | | |
| | | Application for U.S. Letters Patent Serial No. 10/715,150 filed November 17, 3003 | <u> </u> | | | | | |
| | | Provisional Patent Application Serial No. 60/535,888 filed January 12, 2004 | | | | | | |
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO, Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

| | | SHEET 1 OF |
|--|-----------------------------------|-------------------------------|
| FORM PTO-1449 U.S. DEPARTMENT OF COMMERCE PENT AND TRADEMARK OFFICE INFORMATION DISCLOSURE TATEMENT | ATTY. DOCKET NO. PARA 005A | APPLICATION NO. 10/242,016 |
| AUS 1 6 2004 (USE GEVERAL SHEETS IN ECESSARY) | APPLICANT Lilip Lau, et al | · |
| (OSE USE TO LOCALISTIC PROCESSARY) | FILING DATE September 10, 2002 | GROUP 3736 |

| | | | | U.S. PATENT DOCUMENTS | | | |
|---------------------|-----|-----------------|----------|-----------------------|-----------------|-------------|---------------------------------|
| EXAMINER INITIAL | | DOCUMENT NUMBER | DATE | NAME . (| CLASS | SUBCLASS | FILING DATE (IF APPROPRIATE) |
| NV | 1 | 2,826,193 | 03/11/58 | Vineberg | | | |
| | 2 | 3,513,836 | 05/26/70 | Sausse | | | |
| | 3 | 3,587,567 | 06/28/71 | Schiff | | | |
| | 4 | 3,983,863 | 10/05/76 | Janke, et al. | | | |
| | 5 | 4,306,318 | 12/22/81 | Mano, et al. | | | |
| | 6 | 4,403,604 | 09/13/83 | Wilkinson, et al. | · | | |
| | 7 | 4,428,375 | 01/31/84 | Ellman | | | |
| | 8 | 4,536,893 | | Parravicini | | | |
| | 9 | 4,690,134 | 09/01/87 | Snyders | | | |
| | 10 | 4,827,932 | 05/09/89 | ldeker, et al. | | | |
| | 11 | 4,936,857 | 06/26/90 | Kulik | | | |
| | 12 | 4,976,730 | 12/11/90 | Kwan-Gett | | | |
| | 13 | 5,131,905 | 07/21/92 | Grooters | | | |
| | 14 | 5,383,840 | 01/24/95 | Heilman, et al. | | | • |
| | 1.5 | 5,558,617 | 09/24/96 | Heilman, et al. | | | |
| | 16 | 5,603,337 | 02/18/97 | Jarvik | | | |
| | 17 | 5,702,343 | 12/30/97 | Alfemess | | | |
| | 18 | 5,713,954 | 02/03/98 | Rosenberg, et al. | | | |
| | 19 | 5,800,528 | 09/01/98 | Lederman, et al. | | | |
| | 20 | 5,848,962 | 12/15/98 | Feindt, et al. | | | |
| | 21 | 5,957,977 | 09/28/99 | Melvin | | | |
| | 22 | 5,961,440 | 10/05/99 | Schweich, Jr. et al. | $\neg \uparrow$ | | |
| | 23 | 6,076,013 | 06/13/00 | Brennan, et al. | \neg | | |
| | 24 | 6,077,214 | 06/20/00 | Mortier, et al. | -+ | | |
| | 25 | 6,077,218 | 06/20/00 | Alferness | \dashv | | |
| | 26 | 6,110,100 | 08/29/00 | Talpade | | | |
| 14/ | 27 | 6,123,662 | 09/26/00 | Alferness, et al. | | | |

| EXAMINER — | DATE CONSIDERED | 02 | 122/05 | |
|---|-----------------|----|--------|--|
| *FYAMINED. INITIAL IS CITATION CONSIDEDED MUSTUED OF NOT CITATION | | | | |

*EXAMINER: INITIAL IF CITATION CONSIDERED, WHETHER OR NOT CITATION IS IN CONFORMANCE WITH MPEP 609; DRAW LINE THROUGH CITATION IF NOT IN CONFORMANCE AND NOT CONSIDERED, INCLUDE COPY OF THIS FORM WITH NEXT COMMUNICATION TO APPLICANT.

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|---|---------------|--|-----------------------------------|-------------------------------|-------|
| | FORM PTO-1449 | U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE | ATTY. DOCKET NO. PARA.005A | APPLICATION NO. 10/242,016 | |
| I | | DISCLOSURE STATEMENT | | | |
| | | Y APPLICANT . SHEETS IF NECESSARY) | APPLICANT Lilip Lau, et al | | |
| | (USE SEVERAL | . Sheets if Necessary) | FILING DATE September 10, 2002 | GROUP 3738 | |

| U.S. PATENT DOCUMENTS | | | | | | | | |
|-----------------------|----|------------------|----------|---------------------|---|------------|----------|---------------------------------|
| EXAMINER INITIAL | | DOCUMENT NUMBER | DATE | NAME | | CLASS | SUBCLASS | FILING DATE (IF APPROPRIATE) |
| N | 28 | 6,155,972 | 12/05/00 | Nauertz, et al. | | | | |
| | 29 | US 6,174,279 B1 | 01/16/01 | Girard | | | | |
| | 30 | US 6,264,602 B1 | 07/24/01 | Mortier, et al. | | | | |
| | 31 | US 6,293,906 B1 | 09/25/01 | Vanden Hoek, et al. | | | | |
| | 32 | US 6,360,749 B1 | 03/26/02 | Jayaraman | | | | / |
| | 33 | US 6,402,680 B2 | 06/11/02 | Mortier, et al. | | | | |
| | 34 | US 6,425,856 B1 | 07/30/02 | Shapland, et al. | | \nearrow | | |
| | 35 | US 6,482,146 B1 | 11/19/02 | Alfemess, et al. | 7 | | | |
| N/ | 36 | ·US 2002/0032364 | 3/14/02 | Lau, et al. | (| | | |

| FOREIGN PATENT DOCUMENTS | | | | | | | | |
|--------------------------|----|-----------------|----------|---------|-------|----------|-------|--------|
| EXAMINER INITIAL | | DOCUMENT NUMBER | DATE | COUNTRY | CLASS | SUBCLASS | TRANS | LATION |
| 11110-12 | | | | | | | YES | NO |
| NV | 37 | WO 01/91667 A2 | 06/12/01 | PCT | - | | | _ |
| NV | 38 | SU 1009457 A | 04/07/83 | | | | | |

| EXAMINER INITIAL | OTHER DOCUMENTS (INCLUDING AUTHOR, TITLE, DATE, PERTINENT PAGES, ETC.) |
|---------------------|--|
| NI | 39 Chiu, Ray CJ, Using Skeletal Muscle for Cardiac Assistance, Scientific American SCIENCE & MEDICINE, November/December 1994. |
| | David A. Kass, M.D., et al., Reverse Remodeling From Cardiomyoplasty in Human Heart Failure, Circulation, Volume 91, No. 9, May 1, 1995. |
| | 41 Howard R. Levin, M.D., et al., Reversal of Chronic Ventricular Dilation in Patients With End-Stage Cardiomyopathy by Prolonged Mechanical Unloading, Circulation, Volume 91, No. 11, June 1995. |
| NV | 42 Eli R. Capouya, M.D., et al, GIRDLING EFFECT ON NONSTIMULATED CARDIOMYOPLASTY ON LEFT VENTRICULAR FUNCTION, Society of Thoracic Surgeons, Pages 867-871, 1993. |

H:\DOCS\GLN\GLN-5901.DOC 122702

| EXAMINER | DATE CONSIDERED | mm (= = / 10 = |
|----------|-----------------|----------------|
| | DATE CONSIDERED | 02/22/08 |

*EXAMINER: INITIAL IF CITATION CONSIDERED, WHETHER OR NOT CITATION IS IN CONFORMANCE WITH MPEP 609; DRAW LINE THROUGH CITATION IF NOT IN CONFORMANCE AND NOT CONSIDERED, INCLUDE COPY OF THIS FORM WITH NEXT COMMUNICATION TO APPLICANT.

| FORM PTO-1449 U.S. DEPARTMENT OF COMMERCE AUS PROPERT AND TRADEMARK OFFICE SUPPLMENTAL REFORMATION DISCOSURE STATEMENT | ATTY, DOCKET NO. PARA.005A | APPLICATION NO. 10/242,016 | EET10 |
|--|-----------------------------------|-------------------------------|-------|
| EA Visine | APPLICANT Lilip Lau et al. | | |
| (USE SEVERAL SHEETS IF NECESSARY) | FILING DATE September 10, 2002 | GROUP 3736 | |

| U.S. PATENT DOCUMENTS | | | | | | |
|-----------------------|-----------------|------|------|-------|----------|---------------------------------|
| EXAMINER INITIAL | DOCUMENT NUMBER | DATE | NAME | CLASS | SUBCLASS | FILING DATE (IF APPROPRIATE) |
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|------------------|---------------------------------------|-------------|--------------------------|-------|----------|-------------|----|
| EXAMINER INITIAL | DOCUMENT NUMBER | DATE | COUNTRY | CLASS | SUBCLASS | TRANSLATION | |
| NV | WO 01/67985 | 09/20/01 | DOT | | | YES | NO |
| NV | WO 01/85061 | | | | | | |
| 700 | VVO 01/85001 | 11/15/01 | PCI | | | | ļ |
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| EXAMINER . | OTHER DOCUMENTS (INCLUDING AUTHOR, TITLE, DATE, PERTINENT PAGES, ETC.) |
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*EXAMINER: INITIAL IF CITATION CONSIDERED, WHETHER OR NOT CITATION IS IN CONFORMANCE WITH MPEP 609; DRAW LINE THROUGH CITATION IF NOT IN CONFORMANCE AND NOT CONSIDERED, INCLUDE COPY OF THIS FORM WITH NEXT COMMUNICATION TO APPLICANT.

| SHEET 1 OF |
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| O. APPLICATION NO. 10/242,018 |
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| GROUP 3738 |
| 002 3736 MENTS |
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|---------------------|--------|-----------------|--------------|---|-------------|-------------|---------------------|-------------|--|--|
| | | | | U.S. PATENT DOCUMENTS . | | | : | | | |
| EXAMINER INITIAL | | DOCUMENT NUMBER | DATE | NAME | CLASS | SUBCLASS | FILING (IF APPRI | DATE | | |
| NV | 1 | 6,432,039 | 08/13/02 | Wardle | _ | | | | | |
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| | | | | FOREIGN PATENT DOCUMENTS | | | : | | | |
| EXAMINER INITIAL | | DOCUMENT NUMBER | DATE | COUNTRY | CLASS | SUBCLASS | TRANS | | | |
| NV | 2 | WO 00/36995 | 06/29/00 | PCT | F=- | | YES | NO | | |
| 1 | 3 | WO 00/18320 | 04/06/00 | PCT | | |) | | | |
| | 4 | WO 02/13726 | 02/21/02 | PCT | | | | | | |
| NV | 5 | WO 01/21098 | | PCT | 1 | | | | | |
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